

**REISSUE APPLICATION DECLARATION
BY INVENTORS**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,128,520, granted July 7, 1992, and for which a reissue patent is sought on the invention entitled **SCANNER WITH COUPON VALIDATION** the specification of which

(Check One)

☒

is attached hereto OR

☐ was filed on _____ as United States reissue application Serial No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. (Reissue) Parent Application Number | PCT Parent Number | Parent Filing Date | Status-Patented, Pending or Abandoned |
|--|-------------------|--------------------|---------------------------------------|
| 08/570,625 | | December 11, 1995 | pending |

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

- ☐ by reason of a defective specification or drawing.
- ☒ by reason of the patentee claiming less than he has a right to claim in the patent.
- ☐ by reason of other errors.

At least one error upon which reissue is based is described below. This is a broadening reissue and following is an explanation as to the nature of the broadening.

1. In about November 2000, upon information and belief, it was determined by the attorney for the applicants/inventors that claims in the patent included unnecessary limitations.

2. Upon information and belief, Claims 20-23 were previously presented in the parent application (as claims 115-118 therein) but were indicated by the Examiner therein as interfering with claims from U.S. 5,693,930, the claims having been essentially copied from claims in U.S. 5,693,930.

3. Claim 24 has been added, depending on Claim 23, wherein the first scan pattern comprises a plurality of intersecting scan lines and the second scan pattern comprises a single scan line.

4. Subsequent to preparing the application papers for presenting the above Claims 20-23, upon information and belief, it was determined that there was additional material in the application which had not been previously claimed in the 5,128,520 patent, the RE35,117 patent, or the parent to the present application, specifically the method Claims 25-29, certain of these claims being generally directed to methods of operation of the optical scanners of Claims 20-23, for example the Claim 25 method versus the Claim 20 optical scanner. These methods of optical scanning were not presented in the 5,128,520 patent or the reissued patents and are set forth as follows:

25. A method for scanning optical codes comprising the steps of:
providing a housing with a first window and a second window;
generating a first scanning beam, passing the first scanning beam out through the first window, focusing the first scanning beam at a first focal position at a distance from the first window, and moving the first scanning beam in a first scanning pattern, the first scanning beam suitable for optically scanning a first type of bar code; and
generating a second scanning beam, passing the second scanning beam out through the second window, focusing the second scanning beam at a second focal position at a distance from the second window, and moving the second scanning beam in a second scanning pattern, the distance from the first focal position to the first window being different than the distance from the second focal position to the second window, the second scanning beam suitable for optically scanning a second type of bar code which is different from the first type of bar code.

26. A method according to Claim 25 further comprising
generating the first scan pattern comprised of intersecting scan lines and the second scan pattern comprised of a single scan line.

27. A method according to Claim 25 wherein the first type of bar code comprises bar code labels on items being purchased and the second type of bar code comprises bar codes on coupons.

28. A method for optically scanning comprising the steps of
providing a housing with first and second surface areas thereon and which are different from each other;
generating a first scan pattern of intersecting scan lines and passing the first scan pattern out through the first surface area; and
generating a second scan pattern consisting of a single scan line and passing the second scan pattern out through the second surface area.

29. A method for scanning optical codes comprising the steps of:
providing a housing with at least a first window;
generating a first scanning beam and focusing the first scanning beam at a first focal distance;
scanning the first scanning beam to produce a first scan pattern of a plurality of intersecting scan lines and passing the first scan pattern out from the housing to scan an item to be read; and
generating a second scanning beam and focusing the second scanning beam at a second focal distance different from the first focal distance;
scanning the second scanning beam to produce a second scan pattern of a single scan line and passing the second scan pattern out from the housing to scan an item to be read.

All errors corrected in this reissue declaration arose without deceptive intention on the part of the applicant.

POWER OF ATTORNEY: As a named inventor, I hereby appoint as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office, and in countries other than the United States, and to do all things necessary or appropriate therefor before any competent International Authorities in connection with any international patent application(s) corresponding to the above-identified invention application, all of the registered practitioners identified by following Customer Number:



22249

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LYON & LYON LLP
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633 W. Fifth Street
Los Angeles, CA 90071
(213) 489-1600
(213) 955-0440 fax

Please direct all inquiries to the attention of John A Rafter, Jr. , at the above Customer Number.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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| 201 | FULL NAME OF INVENTOR | FIRST Name Joseph | MIDDLE Initial F. | LAST Name Rando | |
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| INVENTOR'S SIGNATURE <u><i>Joseph Rando</i></u> DATE _____ | | | | | |

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| INVENTOR'S SIGNATURE _____ DATE _____ | | | | | |

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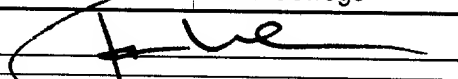
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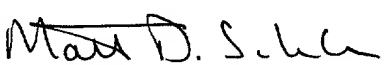
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| INVENTOR'S SIGNATURE  DATE <u>8 Dec 2000</u> | | | | | |

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| REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT | | Docket Number (Optional) 258/060 |
| This is part of the application for a reissue patent based on the original patent identified below. | | |
| Name of Patentee(s) Joseph F. Rando and Jeffrey M. Novak | | |
| Patent Number 5,128,520 | Date Patent Issued 07/07/1992 | |
| Title of Invention SCANNER WITH COUPON VALIDATION | | |
| <p>1. <input checked="" type="checkbox"/> Filed herein is a certificate under 37 CFR 3.73(b).</p> <p>2. <input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent has been made.</p> <p>One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".</p> <p>The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.</p> | | |
| The assignee owning an undivided interest in said original patent is/are <u>PSC Scanning, Inc. the successor in interest via merger and name-change to Spectra-Physics Scanning Systems, Inc.</u> and the assignee(s) consents to the accompanying application for reissue. | | |
| Name of assignee/inventor (if not assigned) | | |
| Signature  | Date 12-18-00 | |
| Typed or printed name and title of person signing for assignee (if assigned) Matt D. Schler, Vice President | | |

Burden Hour Statement: This form is estimated to take 0 1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.